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ALEX VILLANUEVA

**UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

ALEX VILLANUEVA,

Plaintiff,

vs.

COUNTY OF LOS ANGELES,
COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT, LOS
ANGELES COUNTY BOARD OF
SUPERVISORS, COUNTY EQUITY
OVERSIGHT PANEL, LOS
ANGELES COUNTY OFFICE OF
INSPECTOR GENERAL,
CONSTANCE KOMOROSKI,
MERCEDES CRUZ, ROBERTA
YANG, LAURA LECRIVAIN,
SERGIO V. ESCOBEDO, RON
KOPPERUD, ROBERT G. LUNA,
MAX-GUSTAF HUNTSMAN,
ESTHER LIM, and DOES 1 to 100,
inclusive,

Defendants.

Case No.: 2:24-cv-04979-SVW-JC

**[Assigned to Honorable Stephen V. Wilson
and Magistrate Judge Jacqueline
Chooljian]**

**PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION *IN LIMINE*
NO. 1 TO EXCLUDE MULTIPLE
EXPERT WITNESSES RE EMOTIONAL
DISTRESS**

Date: May 26, 2025
Time: 1:30 p.m.
Dept.: 10A

Trial Date: June 3, 2025
Action Filed: June 13, 2024

MEMORANDUM OF POINTS AND AUTHORITIES

1. INTRODUCTION

Plaintiff respectfully opposes Defendant's Motion in *Limine* No. 1 to limit Plaintiff's experts on emotional distress. Defendants seek to preclude Plaintiff from presenting testimony from Dr. Jessica Rowe, Dr. Rebecca Udell, and Dr. Nigel Kennedy, arguing that their testimony would be cumulative. Contrary to Defendant's contention, these experts employ distinct methodologies and approaches that independently validate Plaintiff's emotional distress claims.

A. Plaintiff's Experts Offer Unique Qualifications and Experience that Individually Support Their Testimony.

The experts differ significantly in qualifications, professional experience, and methodological approaches. Dr. Rowe employs primarily cognitive-behavioral diagnostic techniques, Dr. Udell applies psychoanalytic methodologies, and Dr. Kennedy specializes in clinical psychiatric assessments. While each reaches consistent conclusions regarding Plaintiff's emotional distress, their analytical pathways differ substantially, providing essential, independently valuable insights.

B. Dr. Jessica Rowe's Cognitive-Behavioral Analysis Provides Unique Insight.

Dr. Rowe's report employs cognitive-behavioral techniques to assess Plaintiff's mental state, emphasizing the interactions between thoughts, emotions, and behaviors (Tokoro Decl., Ex. 4, ROWE 000011). Her analysis uniquely identifies specific cognitive distortions and behavior patterns resulting from Defendant's actions.

C. Dr. Rebecca Udell's Psychoanalytic Approach Offers Critical Depth.

Dr. Udell's evaluation relies on psychoanalytic methodologies, focusing on subconscious factors and defense mechanisms (Tokoro Decl., Ex. 5, UDELL 000001). Her report provides an in-depth exploration of underlying emotional conflicts exacerbated by Defendant's conduct.

D. Dr. Nigel Kennedy's Clinical Psychiatric Assessment Provides

1 **Independent Medical Verification.**

2 Dr. Kennedy's report includes a clinical psychiatric assessment grounded in standard
3 medical diagnostic protocols. (Tokoro Decl., Ex. 6, KENNEDY 000008). His conclusions
4 offer independent medical validation of Plaintiff's emotional distress diagnosis.

5 **E. Each Expert's Distinct Methodology Provides Non-Cumulative**
6 **Evidence of Plaintiff's Emotional Distress.**

7 Federal courts recognize the admissibility of multiple experts where, as here, their
8 methods, training, and professional judgment differ, notwithstanding overlapping
9 conclusions. Here, each expert provides separate yet convergent analyses essential for the
10 jury's comprehensive understanding of Plaintiff's emotional distress, its causation, and
11 prognosis. Dr. Rowe's expertise in cognitive-behavioral analysis, Dr. Udell's
12 psychoanalytic evaluation, and Dr. Kennedy's clinical psychiatric assessments each bring
13 invaluable, non-duplicative perspectives vital for a fully informed decision by the jury.

14 **F. Courts Routinely Permit Multiple Experts When Their Methodologies**
15 **and Analyses Are Distinct, Despite Consistent Conclusions.**

16 In *Cantu v. United States*, 2015 U.S. Dist. LEXIS 191395 (C.D. Cal. 2015), the court
17 denied a motion to limit cumulative expert testimony, recognizing that expert testimony
18 is permissible when it involves distinct methodologies and individual analyses, even if
19 conclusions align. In *Cantu*, the court emphasized the necessity of allowing experts who
20 employ varying methodologies and provide unique analytical insights to testify, finding
21 such testimony valuable and non-cumulative despite reaching similar conclusions.

22 Similarly, *Rodriguez v. County of Stanislaus*, 2010 U.S. Dist. LEXIS 80600 (E.D.
23 Cal. 2010), underscored that courts should avoid prematurely limiting expert witnesses
24 simply because of similar outcomes, especially when each expert brings unique
25 professional expertise and utilizes different evaluative methods. The Rodriguez court
26 specifically rejected the argument that similar conclusions from multiple experts should
27 lead to exclusion, highlighting instead that the critical analysis should focus on the distinct
28 methodologies employed and the unique expertise of each expert.

G. Application of Cantu and Rodriguez Warrants Denial of Defendant's Motion.

Applying the principles articulated in *Cantu* and *Rodriguez* to this case clearly establishes that Plaintiff's experts' testimony should be admitted. Drs. Rowe, Udell, and Kennedy each utilize distinctly different approaches—cognitive-behavioral techniques, psychoanalytic evaluations, and clinical psychiatric assessments—to independently arrive at their conclusions. Like in *Cantu* and *Rodriguez*, Plaintiff's experts provide critical, non-cumulative insights through their varied methodological frameworks. Excluding any of these experts would unjustly deprive the jury of essential perspectives necessary for a fair and thorough evaluation of Plaintiff's claims.

Accordingly, because Plaintiff's experts' testimony is not needlessly cumulative but instead offers essential complementary perspectives grounded in distinct methodologies,

2. CONCLUSION

Villanueva respectfully requests this Motion be denied..

Dated: May 5, 2025

SHEGERIAN & ASSOCIATES, INC.

By: _____

Alex DiBona, Esq.

Attorneys for Plaintiff,
ALEX VILLANUEVA

VILLANUEVA V. COUNTY OF LOS ANGELES, et al. USDC Case No. 2:24-cv-04979-SVW-JC

PROOF OF SERVICE

**UNITED STATES DISTRICT COURT,
CENTRAL DISTRICT OF CALIFORNIA**

I am an employee in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11520 San Vicente Boulevard Los Angeles, California 90049.

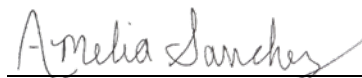
On May 5, 2025, I served the foregoing document, described as “**PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION *IN LIMINE* NO. 1 TO EXCLUDE MULTIPLE EXPERT WITNESSES RE EMOTIONAL DISTRESS**” on all interested parties in this action as follows:

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☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on May 5, 2025, at Los Angeles, California



Amelia Sanchez